

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

REV. WILLIE MATHIS,

Petitioner

VS.

CYNTHIA M. NELSON, WARDEN,
et al.,

Respondents

NO. 1:06-CV-150 (WLS)

**PROCEEDINGS UNDER 28 U.S.C. § 2254
BEFORE THE U.S. MAGISTRATE JUDGE**

ORDER OF TRANSFER

Petitioner **REV. WILLIE MATHIS**, presently confined at Autry State Prison in Pelham, Georgia, has submitted to the Court a handwritten petition for writ of habeas corpus. Petitioner challenges his 1978 conviction in the Superior Court of Fulton County, Georgia. Fulton County is located in the Northern District of Georgia. While 28 U.S.C. § 2241(d) permits a state prisoner's habeas petition to be filed in the district within which the prisoner was convicted or in the district within which the prisoner is confined and further permits discretionary transfer by the court from one such district to the other, it is the long-standing policy and practice of the United States District Courts for the Middle, Northern and Southern Districts of Georgia to cause all such petitions to be filed in or transferred to the district within which the state prisoner was convicted. Adherence to this practice and policy results in each district court considering habeas matters arising only from state courts within its jurisdiction and in an equitable distribution of habeas cases between the districts of this state.

Consistent with this policy and practice, the subject state prisoner habeas corpus petition

is hereby **TRANSFERRED** to the **NORTHERN DISTRICT OF GEORGIA** along with all orders, motions, affidavits, pleadings and exhibits (if any) filed herein for further proceedings under § 2254.¹

SO ORDERED, this 13th day of NOVEMBER, 2006.

Richard L.Hodge

RICHARD L. HODGE

UNITED STATES MAGISTRATE JUDGE

¹ The Court notes that petitioner failed to pay the \$5.00 filing fee or to submit a motion for leave to proceed *in forma pauperis*.